

EXHIBIT 22



PENNSYLVANIA GAMING CONTROL BOARD

303 Walnut Street
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Harrisburg PA 17101
www.gamingcontrolboard.pa.gov

Luana DeBernardis
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November 4, 2024

Via email

Jessica Robertson
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Re: Right to Know Law Request 2024-040

Dear Ms. Robertson:

On October 28, 2024, the Pennsylvania Gaming Control Board (“PGCB” or “Board”) received your request for documents pursuant to the Pennsylvania Right-To-Know Law (“RTKL”) 65 P.S. §67.101 et seq. A copy of your request is attached for reference. Upon review, it is determined that your request is **denied**. I have addressed your request and each response in accordance with the bullet points set forth in your request.

Right to Know Request, #1: All documents and communications between Evolution and the PGCB concerning the PGCB’s press release titled “PA Gaming Control Board Fines iGaming Manufacturer for Unauthorized Access to Live Studio,” published on August 21, 2024.

Response: Denied – Your request is not sufficiently specific in that it fails to provide the Board with sufficient information to ascertain what records are being requested, 65 P.S. 67.703. *See also, Mooney and The Commonwealth Foundation v. Bucks County Intermediate Unit #22*, OOR Docket No: AP 2022-1347; *Pa. Dep’t of Educ. v. Pittsburgh Post-Gazette*, 119 A.3d 1121 (Pa. Commw. Ct. 2015); and *Carey v. Pa. Dep’t of Corr.*, 61 A.3d 367, 372 (Pa. Commw. Ct. 2013). Your request seeks “all documents and communications” with an interactive gaming manufacturer, without identifying a specific type of record or any senders or recipients, during an unspecified time frame.

Right to Know Request, #2: All documents and communications between Evolution and the PGCB concerning PGCB Docket No. 13000-2024.

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Response: Denied – Your request is not sufficiently specific in that it fails to provide the Board with sufficient information to ascertain what records are being requested, 65 P.S. 67.703. *See also, Mooney and The Commonwealth Foundation v. Bucks County Intermediate Unit #22*, OOR Docket No: AP 2022-1347; *Pa. Dep’t of Educ. v. Pittsburgh Post-Gazette*, 119 A.3d 1121 (Pa. Commw. Ct. 2015); and *Carey v. Pa. Dep’t of Corr.*, 61 A.3d 367, 372 (Pa. Commw. Ct. 2013). Your request seeks “all documents and communications” with an interactive gaming manufacturer, without identifying a specific type of record or any senders or recipients, during an unspecified time frame.

For your information, and outside of the RTKL, the consent agreement and other public filings in our Office of Hearings and Appeals Docket Number 13000-2024 are available on our website at the following link: [Public Filings | PGCB](#).

Please note that you have a right to appeal this decision in writing to Liz Wagenseller, Executive Director, Office of Open Records (OOR), 333 Market Street, 16th Floor, Harrisburg, Pennsylvania 17101. If you choose to file an appeal, you must do so within 15 business days of the mailing date of this response. In order to appeal, you must send to the OOR and simultaneously to me, in the same manner as the appeal is sent to the Office of Open Records (e-mail, fax, mail or hand delivery):

- 1) your request;
- 2) this response;
- 3) the appeal form that is available on the OOR website at:
<https://www.openrecords.pa.gov/Appeals/AppealForm.cfm>

All of the above must be submitted for the appeal to be valid.

If you have any questions regarding this letter, please do not hesitate to contact me.

Sincerely,

Luana DeBernardis

Luana DeBernardis
Agency Open Records Officer